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Joseph J. Mulieri
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DOCKET FILE COPY ORIGINAL

November 21, 1997

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Rm. 222
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: Request for Limited Modification of LATA Boundary to Provide ELCS From
Bell Atlantic - Virginia's Leesburg Exchange to GTE South's Dulles Exchange; CC
Docket No. 96-159**

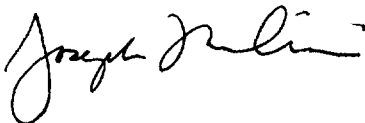
Dear Mr. Caton:

Bell Atlantic-Virginia, Inc. (BA-VA) hereby submits this request for a LATA boundary modification to provide expanded local calling service (ECLS) from its Leesburg exchange to GTE South's Dulles exchange.

In its order released July 15, 1997¹ ("Order"), the Commission established an ongoing process for requesting LATA boundary modifications to provide ELCS. This request is filed pursuant to the provisions contained in that order. Attached please find the support documentation required by the Commission to approve the requested modification.

Should you have any questions regarding this material please do not hesitate to contact me.

Sincerely,



Attachment

cc: G. Matise
A. Thomas

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¹"In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ECLS) at Various Locations", CC Docket No. 96-159, released July 15, 1997.

Request for Limited Modification of LATA Boundaries to Provide ELCS From Bell Atlantic - Virginia's Leesburg Exchange to GTE South's Dulles Exchange

- (1) Type of Service
Traditional Local Service, Non Optional ELCS
- (2) Direction of Service
Two-way
- (3) Exchanges Involved
ELCS from the Leesburg exchange located in the Culpeper, Virginia LATA to the Dulles exchange located in the Washington, D.C. LATA.
- (4) Name of Carriers
Leesburg - Bell Atlantic - Virginia
Dulles - GTE South
- (5) State Commission Approval
Attached is a Virginia State Corporation Commission staff report and a Final Order approving ELCS for this route.
- (6) Number of Network Access Lines
Leesburg Exchange - 30,692
Dulles Exchange - 3,758
- (7) Usage Data
Messages per main station per month
 Leesburg to Dulles - 0.14
 Dulles to Leesburg - 0.31

Percent of subscribers making calls
 Leesburg to Dulles - Data not available
 Dulles to Leesburg - Data not available
- (8) Poll Results
Leesburg - Dulles
 Sixty-six percent of those responding voted for ELCS.

Dulles to Leesburg
 Public notice was provided to the Dulles exchange customers via newspaper display advertisement. No comments or requests for public hearing were received.

(8) Poll Results (Continued)

ELCS Rate Increase - Leesburg

Residential

Flat Rate	\$ 0.03
Message Rate	\$ 0.02
Measured Rate	\$ 0.02
Exchange Only	\$ 0.02
Economy Service	\$ 0.01

Business

Flat Rate Line	\$ 0.10
Message Rate Line	\$ 0.02
Measured Rate Line	\$ 0.02
Flat PBX Trunk	\$ 0.16
Message PBX Trunk	\$ 0.02
Measured PBX Trunk	\$ 0.02

ELCS Rate Increase - Dulles

Residential

Flat Rate	\$ 0.29
Message Rate	\$ 0.19
Measured Rate	\$ 0.19
Lifeline	\$ 0.29
Economy	\$ 0.13

Business

Flat Rate	\$ 0.69
Key Line	\$ 1.09
Flat Rate Trunk	\$ 1.49
Message Rate	\$ 0.41

(9) Community of Interest Statement

Leesburg is a suburban exchange located in Loudoun County in northern Virginia. This exchange includes the Town of Leesburg, the Loudoun County seat, which is located just 35 miles northwest of Washington, D.C. The western portion of the exchange is rural and has more of an interest toward the Town of Leesburg. The eastern portion of the exchange contains the large residential communities of Ashburn Farm and Ashburn Village. Most of its residents have a high community of interest with Fairfax County, Falls Church, Alexandria, Arlington, McLean and other northern Virginia areas east of the Leesburg exchange. The eastern Loudoun County area has the highest growth rate in the Leesburg exchange. The Dulles exchange includes the closest major airport to Leesburg. ELCS would provide local calling from Leesburg to Dulles Airport, nearby meeting and convention facilities as well as airport support facilities. A 14 mile extension of the Dulles Toll Road from the Dulles Airport to Leesburg was opened in September, 1995 which is further indication of interest between the two areas.

(10) Maps

Maps are attached for the Leesburg and Dulles exchanges.

(11) Other Pertinent Information

Chronology

On June 21, 1996, Bell Atlantic - Virginia's Leesburg exchange subscribers petitioned the Virginia State Corporation Commission for Extended Local Calling Service (ELCS) to the Dulles exchange. The Commission directed Bell Atlantic - Virginia to determine the change in monthly rates to provide ELCS from Leesburg to Dulles. Bell Atlantic - Virginia surveyed all of its Leesburg subscribers regarding their willingness to pay the additional rates. Sixty-six percent of the subscribers responding voted favorably.

The Commission then directed GTE South to determine rates for ELCS calling from Dulles to Leesburg. GTE South provided public notice via newspaper display advertising to its Dulles subscribers. No comments or requests for public hearing were received.

On October 16, 1997, the State Corporation Commission issued a Final Order approving Extended Local Calling Service between Leesburg and Dulles.

Virginia State Code, Section 56-484.2

This section of the Virginia State Code allows customers to petition the State Corporation Commission for ELCS. A copy of this section is attached.

Attachments

Virginia State Corporation Commission Public Notice Report of Alan R. Wickham in
Case No. PUC970116

Virginia State Corporation Commission Final Order in Case No. PUC970116

Leesburg exchange map

Herndon exchange map

Dulles exchange map

Virginia LATA map

Virginia State Code, Section 56-484.2

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COMMONWEALTH OF VIRGINIA

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**COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
DIVISION OF COMMUNICATIONS**

**PUBLIC NOTICE REPORT OF
ALAN R. WICKHAM**

PUC970116

**APPLICATION OF GTE SOUTH, INC.
TO IMPLEMENT EXTENDED LOCAL SERVICE
FROM ITS DULLES EXCHANGE INTO BELL
ATLANTIC VIRGINIA, INC.'S LEESBURG EXCHANGE**

October 8, 1997

**APPLICATION OF GTE SOUTH, INC.
TO IMPLEMENT EXTENDED LOCAL SERVICE
FROM ITS DULLES EXCHANGE INTO BELL
ATLANTIC VIRGINIA, INC.'S LEESBURG EXCHANGE**

CASE NO. PUC970116

BACKGROUND

Bell Atlantic Virginia, Inc. (BA-VA) surveyed its Leesburg exchange customers for Extended Local Service (ELS) into the Dulles exchange in response to a customer petition filed pursuant to Virginia Code Section 56-484.2. ELS is flat rate two-way calling between two or more exchanges on a seven digit dialing basis. The result of the poll was as follows:

Total Ballots Mailed	20,593
Customers Responding	7,498 (36.4%)
Number of Responses:	
Yes	4,960 (66.2%)
No	2,538 (33.8%)

The proposal for ELS from the Leesburg exchange into the Dulles exchange met the polling requirements of § 56-484.2.

On July 22, 1997, GTE South, Inc. (GTE) filed an application pursuant to provisions of § 56-484.2 proposing to notify its Dulles exchange subscribers of the increases in monthly rates that would be necessary for extending their local service to include the Leesburg exchange.

The Commission entered an Order Prescribing Notice of the application on August 6, 1997. The Company was ordered to publish notice in newspapers of general circulation in the Dulles exchange. A poll was not required because the proposed rate increase for one-party residential customers does not exceed five percent of the existing

one-party monthly rate. Affected telephone customers were given until September 25, 1997 to file comments or request a hearing on the proposal.

On September 20, 1997, GTE filed proof of notice as required by the Commission's Order of August 6, 1997. Notice was published once as display advertising in the Loudoun Times - Mirror. No comments or requests for a hearing were received in this Case.

PROPOSED RATE INCREASES

Under this proposal monthly rates in the Dulles exchange would increase as follows: flat rate residential service, \$0.29; residential Lifeline, \$.29; residential measured service with \$3 allowance, \$.19; residential message rate service with 50 call allowance, \$.19; residential message rate economy service, \$.13; flat rate business service, \$.69; business key line service, \$1.09; business flat rate trunk service, \$1.49; semi-public service, \$.69; and business measured economy service: single line service, \$.48; key line service, \$.75; and trunk service, \$1.04; and business message rate service: single line service, \$.41; key line service, \$.41; and trunk service, \$.41.

RECOMMENDATION

Approval of GTE's application to implement ELS from its Dulles exchange into BA-VA's Leesburg exchange is recommended.

STATE CORPORATION COMMISSION

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APPLICATION OF

AT RICHMOND, OCTOBER 16, 1997

GTE SOUTH, INC.

CASE NO. PUC970116

To implement extended local
service from its Dulles
exchange to Bell Atlantic-
Virginia, Inc.'s Leesburg
exchange

FINAL ORDER

On July 22, 1997, GTE South, Inc. ("GTE" or "the Company") filed an application with the State Corporation Commission ("Commission") pursuant to the provisions of § 56-484.2 of the Code of Virginia. GTE proposed to notify its Dulles exchange subscribers of the increases in monthly rates that would be necessary to extend their local service to include the Leesburg exchange of Bell Atlantic-Virginia, Inc. ("BA-VA"). Customers in the Leesburg exchange had previously petitioned the Commission for local calling to Dulles. In a poll conducted in response to the petition, the majority of Leesburg customers responding to the poll supported paying higher rates for local calling to Dulles. A poll of Dulles subscribers in response to this application was not required under § 56-484.2(A) of the Code of Virginia because the proposed rate increase does not exceed 5% of the existing monthly one-party residential rate.

By order dated August 6, 1997, the Commission directed GTE to publish notice of the proposed increase. Affected telephone customers were given until September 25, 1997, to file comments or request a hearing on the proposal. No comments or requests for hearing were received. On September 20, 1997, GTE filed proof of notice as required by the Commission's August 6, 1997 order.

On October 8, 1997, the Commission's Staff submitted its report regarding the Company's application. The Staff recommended that GTE's application to implement extended local service from its Dulles exchange into BA-VA's Leesburg exchange be approved.

Accordingly,

IT IS THEREFORE ORDERED THAT:

(1) The proposed extension of local service from GTE's Dulles exchange to BA-VA's Leesburg exchange shall be implemented in a manner suitable to the two companies.

(2) The two companies shall implement the tariff revisions necessary for the proposed extension of local service.

(3) There being nothing further to come before the Commission, this docket is closed and the papers filed herein shall be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Joe W. Foster, Esquire, GTE South, Inc., 4100 N. Roxboro Road, Durham, North Carolina 27702; Richard D. Gary, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; Stephen C. Spencer, Regional Director, External Affairs, GTE South, One James Center, Suite 1200, 1051 East Cary Street, Richmond, Virginia 23219; Warner F. Brundage, Jr., Esquire, Bell Atlantic-Virginia, Inc., 600 East Main Street, 24th Floor, P.O. Box 27241, Richmond, Virginia 23219; Thomas B. Nicholson, Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; and the Commission's Division of Communications.

A True Copy
Teste:

William J. Bridge

Clerk of the
State Corporation Commission

ARTICLE 4.

Extension and Reduction of Telephone Service

§ 56-484.2. Extension or reduction upon poll of certain subscribers.

– A. Upon petition of five percent but in no case less than twenty-five of the subscribers in an established telephone exchange for an extension or reduction of their local service area to include or exclude a contiguous local exchange or exchanges, or upon resolution of the governing body of a county for a countywide local service area, the Commission shall estimate the approximate change in the monthly rate for service which will result from such extension or reduction. In the case of a governing body resolution for countywide calling, the Commission, prior to estimating the approximate rate change, shall determine which exchanges within the county have a community of interest calling percentage that is fifty percent or greater in at least one direction to at least one other exchange within the county. The Commission shall then undertake to estimate the approximate change in the monthly rate for service that will result from such expanded local calling area for each such exchange. The Commission shall order the affected company or companies to poll those subscribers whose monthly rate for service would change if the proposed changes were adopted. However, polls shall not be required in the exchange or exchanges to which the petitioners desire an extension of local service if (i) any resulting rate increases in any twelve-month period do not, in the aggregate, exceed five percent of the existing monthly one-party residential flat rate service for the affected exchange to which the petitioners desire an extension of local service or (ii) any resulting rate increases in any twelve-month period, in the aggregate, exceed five percent solely due to rate regrouping. No more than one petition for a poll from the same group of subscribers or resolution from the governing body of a county shall be considered by the Commission during any three-year period. For purposes of determining the exchanges that will be polled pursuant to this subsection, *"community of interest calling percentage"* means the percentage of customers in an exchange that make one or more calls per month to another exchange within the county.

B. If a poll is required pursuant to subsection A and a majority of the subscribers are in favor of the proposed change, or if the Commission determines that a majority of subscribers voting are in favor of the proposed change, the Commission shall order the extension or reduction of their local service area. For the purposes of this section, the number of subscribers in an established telephone exchange shall be deemed to be the number of subscribers in an exchange as of January 1 of the calendar year when the petition is submitted to the Commission. Ballots polling subscribers on a proposed change in local service area shall be counted sixty days after being mailed and the results certified to the Commission.

C. If a poll is not required pursuant to subsection A, the Commission shall require notice to customers in exchanges in which polls are not required and shall convene a hearing on the proposed extension or reduction of the local calling area if the lesser of five percent or 150 of the customers within such exchanges request a hearing. The Commission may convene a hearing under this subsection on its own motion without regard to the number of customers who request a hearing.

D. Where the governing body of a county passes a resolution for a countywide local service area under subsection A and the poll for such service is defeated, the governing body shall reimburse the affected company or companies for the costs of the poll.

E. The Commission shall give the highest priority to petitions or resolutions presented under subsection A that involve exchanges in rural areas. (1976, c. 265; 1978, c. 232; 1985, c. 382; 1990, c. 339; 1993, c. 974; 1994, cc. 180, 347; 1995, c. 466.)

The 1994 amendments. – The 1994 amendment by c. 180, deleted the former next-to-last sentence in subsection A, which provided: "If subscriber polls are not required, the Commission shall proceed pursuant to the provisions of § 56-237.2"; and added subsection C.

1994 amendment by c. 347, in the first sentence of subsection B, deleted "that more than fifty percent of the subscribers have voted in the pool and" following

The 1995 amendment, in subsection A, inserted "or upon resolution of the governing body of a county for a countywide local service area" in the first sentence; added the present second and third sentences; inserted "or resolution from the governing body of a county" in the present sixth sentence, and added the seventh sentence; and added subsections D and E.

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This page has been substituted for one of the following:

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2 Large Maps